

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

JAN 15 2013

DAVID E MACK
Plaintiff,

vs

NCO FINANCIAL SYSTEMS, INC.
Defendant.

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BY
DEPUTY

Cause no. 4:12-cv-304

MOTION FOR ORDER OF DISMISSAL

COMES NOW the Plaintiff, David E. Mack, who after careful consideration, and with much reluctance, brings this motion to request the Court issue an order dismissing this case without prejudice. The Plaintiff has been experiencing severe vision impairment and substantial discomfort issues for a period of months and over the last number of weeks has found it extremely difficult, and at numerous times impossible, to read or use the computer for more than a few minutes at a time because of this impairment.

Because he is a pro se litigant, Plaintiff does not have a support staff and has been unable to properly proceed with this case doing research, diligently proceed with his discovery, and make appropriate responses to the Defendant's pleadings and most importantly, does not know when or if this vision impairment may be resolved. Plaintiff has been making efforts toward resolution of this problem with very limited results to date.

Defendant has not filed a counterclaim in this matter and would not be prejudiced by a dismissal of this action for the above stated reasons.

WHEREFORE, the Plaintiff respectfully moves this Honorable Court to issue an order of dismissal of this action without prejudice so that at some future time, if and when the Plaintiff's vision problems may have sufficiently improved, this cause of action may again be brought before the Court for a proper examination of the issues and justice properly served.

Respectfully Submitted,



David E Mack
7720 McCallum Blvd. # 2099
Dallas, Texas 75252
972-735-9642

CERTIFICATE OF SERVICE

The true and correct copy of the foregoing document was sent to the below named parties by first class USPS mail.

Signed January 15, 201



David E Mack

Whitney White
Sessions Fishman Nathan
& Israel, LLC
900 Jackson Street Suite 440
Dallas, Texas 75202